

ENVIRONMENTAL PROTECTION COMMISSION
REGULAR MEETING

MINUTES

July 1, 2009

7:30 P.M.

Auditorium, Town Hall

Acting Chairman Cameron called the meeting to order at 7:30 P.M. Commission Members Present: Susan Cameron, Michael Tone, Pete Kenyon, Rick Rohr, and Craig Flaherty

Staff Present: Richard Jacobson

Court Reporter: Bonnie Syat

Ms. Cameron read the first agenda item:

EPC-18-2009, Nigel Longton, 41 Delafield Island Road, proposing removal of vegetation and re-planting.

Mr. Rohr was recused for this item.

Allison Kuffle, Round Meadow nursery represented the applicant. She described the site as overgrown with invasives and their plan to remove them and replant with native species.

After discussion, Mr. Flaherty made a motion to approve the application. Mr. Tone seconded the motion and it passed unanimously.

Ms. Cameron read the next agenda item:

EPC-19-2009, Lance E. Zimmerman on behalf of Michael and Diane Barston, 47 Rocaton Road, proposing a house addition outside the upland review area based on the soil scientist's mapping and survey.

Mr. Rohr was recused for this item.

Lance Zimmerman, Architect represented the applicant. He said an application by a previous owner was turned down because of a lack of a specific wetland map and information. He said they have had the wetlands flagged and surveyed and would like the map amended. He said the activities are outside the upland review area except for a temporary stockpile.

The Commission discussed alternative locations for the stockpile outside the upland review area.

Mr. Tone made a motion to approve the application with a stipulation that all activity be located outside the upland review area. Mr. Flaherty suggested an amendment to the motion to require a minimum 35 foot separation distance between the silt fence and stockpile and the wetland boundary. Mr. Tone agreed to the amendment, Ms. Cameron seconded the motion and it passed 4-0.

Ms. Cameron read the next agenda item:

EPC-20-2009, William and Rose Marie Shanahan, 58 Sunswyck Road, proposing drainage improvements within the upland review area.

Mr. Rohr was recused for this item.

Attorney Wilder Gleason represented the applicant. He described the drainage areas on the site. He said they are proposing to install a 15 inch pipe to supplement the existing 6" pipe that clogs easily and causes drainage problems. He said their engineer has designed the 15" pipe and that the Roger's engineer, Steve McAllister from McChord Engineering has reviewed and approved the design. He said they have permission from Jan Shipper the Road Supervisor from Delafield Island Association.

Ms. Cameron asked who will maintain the pipe. Mr. Gleason the inlet will be on the Shanahan property, which they will maintain. The pipe will be the responsibility of the Delafield Island Association.

Ms. Cameron asked if there was anyone from the public who wished to speak.

Robert Varney, son of Mrs. Varney of 59 Sunswyck, said his mother's property borders the proposed outlet. He said he has three concerns: first is the aesthetics of the energy dissipater at the outlet, secondly, he asked for assurances from the engineer that there would not be any erosion to the downstream intermittent watercourse and, third, he asked who would be responsible if there is a problem.

Mr. Gleason asked Todd Ritchie, P.E. to address Mr. Varney's concerns. Mr. Ritchie said they are proposing to use more aesthetic boulders instead of traditional rip rap. Mr. Flaherty asked if it would be possible to hand place the stone. Mr. Ritchie said that is the intent.

Mr. Kenyon asked if they would protect the bed of the watercourse downstream. Mr. Ritchie said the watercourse now dissipates into the woods downstream.

Mr. Ritchie said the purpose of the new pipe is to relieve the problem that now exists when the road doesn't drain. He said the maintenance at the pipe inlet will be up to the Shanahans on their property and there will be very little need for maintenance on the Delafield Island Property.

Frank Penn, 46 Sunsywck Road raised concerns about the volume of traffic to be generated by construction and the feasibility of using the proposed driveway for construction. He said using the Delafield Island property to turn trucks around will require the approval of the tax district.

Mr. Gleason said their initial plan was to create a truck access turnaround but if they cannot get approval of the tax district they will use smaller, more numerous trucks. He said they are not committed to building the bridge at this time because of the cost.

Mr. Flaherty said the road use issues were not related to the discussion of the application to replace the pipe.

Mr. Penn said if they were not proposing to use the Delafield Island property they have no problem with the proposal.

Ms. Cameron said the applicant has addressed the concerns of the public related to the application before the Commission.

Ms. Cameron made a motion to approve the application. Mr. Flaherty seconded the motion and it passed 4-0.

Ms. Cameron read the next agenda item:

EPC-21-2009, J. Wilson Ropp & Adrienne Dreiss, 364 Hollow Tree Ridge Road, proposing a house addition within the upland review area.

Attorney Amy Zabetakis represented the applicant. She said her clients recently purchased the property which had a previous EPC approval in 1997. She said they are proposing to convert one of the two garages to living space and will be removing a large amount on existing asphalt.

Ms. Cameron asked if they were doing additional remodeling beyond the proposed addition. Ms. Zabetakis said all of the additional work will be within the existing footprint. She said the new addition will be replacing a deck that is over a concrete pad.

Mr. Flaherty asked if there will be any need to access the site around the east side of the house where there is a wetland area. Ms. Zabetakis said there will be no need to cross into that wetland area. Mr. Flaherty asked if they would provide an E& S control plan showing the access outside the wetland. Ms. Zabetakis agreed.

Mr. Flaherty made a motion to approve the application with the stipulation of an E& S control plan. Mr. Tone seconded the motion and it passed unanimously.

Ms. Cameron read the next agenda item:

EPC-37-2007, Kathrine Uniake and Murat Akgun, 71 Stony Brook Road, requesting permission to amend permit to replace an existing shed with a smaller shed within the upland review area.

Mr. Akgun represented the applicant. He said they are asking to replace the existing ice skating shack on the pond which is in danger of falling off its footing. He said there will be a smaller structure.

Ms. Cameron asked if there is an alternative location outside of the wetland. Mr. Akgun said they would like to have an open front shed that would be on the pond for use by skaters. Ms. Cameron asked if the work will be done by hand. Mr. Akgun said they will not use any machines and all work, including demolition will be done by hand.

Mr. Flaherty made a motion to approve the request. Ms. Cameron seconded the motion and it passed 4-0. Mr. Kenyon abstained.

Ms. Cameron read the next agenda item:

EPC-16-2009, Town of Darien Department of Public Works, proposing the Stony Brook Tributary Flood Control Project.

The Commission briefly discussed the outcome of the Board on Selectman's decision to withdraw the application until the DEP hearing process is complete.

Ms. Cameron made a motion to add a discussion of the Diller property to the agenda. Mr. Tone seconded the motion and it passed unanimously.

Mr. Kenyon reviewed a history of the acquisition of the Diller property and the possible uses that would be allowed if any portion is proposed to be part of the mitigation for the Stony Brook Watershed project.

Ms. Cameron made a motion to approve the minutes of June 3 as amended. Mr. Kenyon seconded the motion and it passed 4-0. Mr. Hillman and Mr. Flaherty abstained.

Mr. Flaherty made a motion to adjourn. Mr. Tone seconded the motion and it passed unanimously.

The meeting adjourned at 8:50 P.M.

Respectfully submitted,

Richard B. Jacobson
Environmental Protection Officer